

**Program Summary
Secretary of State
Help America Vote Act**

Program Overview

The Help America Vote Act of 2002 (HAVA) is federal election reform legislation that aims to guarantee the equal treatment of voters across the United States by imposing several requirements on the states with respect to the conduct of federal elections. The Secretary of State's office is tasked with the implementation of these requirements in the State of Arizona. As required by HAVA, the Secretary of State's office released the State of Arizona State Plan in May 2003 detailing the priorities and specific steps necessary to bring Arizona into compliance with HAVA. Specifically, the state must:

- Replace all punch card and lever voting machines used by counties for elections;
- Implement a statewide voter registration database;
- Certify new and existing voting systems in accordance with federal standards;
- Improve voting device accessibility to include physical and language accessibility;
- Maintain uniform election procedures and certification of election officials and poll workers;
- Increase voter education for new voting systems;
- Establish a statewide complaint system for a uniform nondiscriminatory response to grievances.

HAVA required all states to have computerized statewide voter registration lists by January 1, 2004 and replace all punch card and lever voting machines by November 2, 2004. The Secretary of State's office met both deadlines. By January 1, 2006, HAVA requires all states to implement a statewide voter registration database and a voting system that meets federal standards. In order to meet federal standards, the voting system must allow the voter to verify the vote before the ballot is cast, provide the voter with the opportunity to change the ballot, and notify the voter if he or she has selected more than 1 candidate. In addition, the system must be accessible to individuals with disabilities.

Program Funding

The Secretary of State's office receives funding from 2 sources to implement the provisions of HAVA: Federal Funds and a General Fund state match. These monies are deposited into the Election Systems Improvement Fund.

Between FY 2003 and FY 2005, a total of \$50.6 million has been provided to the Secretary of State for HAVA. This amount consists of \$7 million from an initial federal grant, \$40.6 million from federal annual payments and \$2.2 million from the General Fund state match. Through FY 2005, \$0.8 million in interest from federal monies has accumulated. *Table 2* displays historical funding amounts for the Help America Vote Act by fund source, using data from FY 2003 through FY 2005.

Required State Match

In order to receive federal funding, HAVA has required states to provide 5% in matching funds. Though the HAVA legislation authorizes Congress to appropriate funding to the states in each year from FY 2004 to FY 2006, the federal government is not expected to include any HAVA monies for the states in its FY 2006 budget. The state, therefore, provided the required 5% in matching General Fund monies in FY 2004 and FY 2005.

Use of HAVA Funds

The Secretary of State's office expects to spend \$39 million to \$49 million between FY 2004 and FY 2006 to meet HAVA requirements. *Table 1* displays estimated expenditures for HAVA funds.

Table 1

**HAVA
Summary of Estimated Expenditures**

<u>Expenditure Type</u>	<u>Estimated Cost</u>
Replace Voting Machines	\$4 million
Statewide Complaint System	\$150,000
Statewide Voter Registration Database	\$15 - \$20 million
Accessible Voting Devices	\$15 - \$20 million
Voter Education	\$5 million
Total	\$39 - \$49 million

In FY 2004, approximately \$4 million in federal grant monies was used to replace all punch card and lever voting machines used by counties for elections. The Secretary of State's office also used \$150,000 in FY 2004 to establish a statewide complaint system.

The Secretary of State's office anticipates that \$15 million to \$20 million of HAVA funds will be used to establish a statewide voter registration database that complies with HAVA requirements. Development of the database will be accomplished in 3 phases. The first phase was completed in FY 2004 when the Secretary of State's office established a

centralized voter registration database to which counties can send new voter registration records. The next 2 phases, which will be completed in FY 2005 and FY 2006, will require all counties, with the exception of Pima and Maricopa, to purchase a new voter registration database. The Secretary of State's office will put out a competitive bid for a contract to develop the database, and then release HAVA monies to the counties so that they may purchase the database off the state's contract. Purchase of the new database will assure uniformity in voter registration across the state and allow registration information in each county to be shared with the Secretary of State's centralized system. Pima County and Maricopa County recently purchased new voter registration databases, which they will be permitted to retain and modify to interface with the Secretary of State's centralized voter registration database.

The Secretary of State's office also anticipates that approximately \$15 million to \$20 million of the HAVA appropriation in FY 2006 will be used for accessible voting devices for the disabled. Approximately \$5 million will be spent on voter education in FY 2006.

Performance Measures

The Secretary of State's office did not submit performance measures for HAVA requirements in the Master List of State Government Programs and

performance measures are not included in the General Appropriation Act. The State of Arizona State Plan includes performance measures that the agency is required to track to determine state and local success in carrying out the provisions of HAVA. *Table 3* displays some of these measures. These measures indicate that the Secretary of State's office is successfully responding to all complaints received from the statewide complaint system, as well as the number of poll workers trained in HAVA procedures.

In addition to the performance measures included in *Table 3*, the Secretary of State's office requires counties to report on voter outreach and voter education methods and the number of election officials trained in HAVA procedures. The agency also tracks the extent to which they have met federal deadlines for HAVA procedures. To date, the Secretary of State's office has met all federal deadlines.

In addition to calculating the total number of poll workers trained in HAVA procedures, it would be useful to know the percentage of all poll workers that have been trained. This measure will more precisely indicate the extent to which election officials and poll workers are still in need of training.

Table 2

HAVA Funding History

<u>Fund</u>	<u>FY 2003</u>	<u>FY 2004</u>	<u>FY 2005</u>	<u>FY 2003 - FY 2005</u>
General Fund	\$0	\$800,000	\$1,400,000	\$2,200,000
Federal Funds	7,018,800	14,523,500	26,061,100	47,603,400
Interest	3,200	71,800	716,400	791,400
Total	\$7,022,000	\$15,395,300	\$28,177,500	\$50,594,800

Table 3

Help America Vote Act Performance Measures

<u>Performance Measure</u>	<u>FY 2004 Actual</u>	<u>FY 2006 Estimate</u>
Percent of complaints resolved from the statewide complaint system	100%	100%
Number of election officials receiving initial certification	70	102
Number of election officials receiving recertification	162	198